

year after year, have raised their premiums, raised their copays, and raised their deductibles, all while slashing their benefits.

They don't trust Medicare HMOs any farther than they can throw them. Our seniors don't want HMOs, and this Congress shouldn't force them on them.

Now on the government fallback provision, you don't need to be an insurance expert to know that insurers aren't going to sell a policy that everyone is going to make claims against.

And we know that 86 percent of seniors have prescription drug costs. So we know that individuals buying these policies are going to use them.

The risks of individual claims far outweigh any potential profits from these policies. Insurers know that, seniors know that and I think even my colleagues on the other side of the aisle know that.

But if they admit that, than I guess they'd have to admit that the private market just does not work for Medicare beneficiaries.

So they've refused to allow for even the possibility that private insurers won't participate in this plan.

But I would argue that, if the private market really works for this population, than they shouldn't have any objection to a government fall-back, because—if they're right—they're never going to need it.

Mr. Speaker, when it comes down to it, fixing these two provisions would clear the way for passage of this legislation. I think anyone who has campaigned that they would be the ones to fight for a prescription drug benefit should vote for this motion to instruct conferees so that we can move this process forward, get a prescription drug benefit enacted and actually start providing some help to our seniors.

With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Maine (Mr. MICHAUD).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MICHAUD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put each question on which further proceedings were postponed earlier today in the following order:

Motion to instruct on H.R. 1588, by the yeas and nays;

Motion to instruct on H.R. 1308, by the yeas and nays;

Motion to instruct on H.R. 1, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining

electronic votes will be conducted as 5-minute votes.

#### MOTION TO INSTRUCT CONFEREES OFFERED BY MR. EDWARDS ON H.R. 1588, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on the bill, H.R. 1588.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Texas (Mr. EDWARDS) on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 28, as follows:

[Roll No. 500]

YEAS—406

Abercrombie  
Aderholt  
Akin  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baker  
Baldwin  
Ballance  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Becerra  
Bell  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehler  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Carter

Case  
Castle  
Chabot  
Chocola  
Clyburn  
Coble  
Cole  
Collins  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emanuel  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Fattah  
Feeney  
Ferguson  
Filner  
Flake  
Fletcher  
Foley  
Forbes  
Ford  
Fossella  
Franks (AZ)  
Frelinghuysen  
Frost  
Garrett (NJ)

Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Gutknecht  
Hall  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hill  
Hinchey  
Hinojosa  
Hobson  
Hoeffel  
Holden  
Holt  
Honda  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)

Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Lynch  
Majette  
Maloney  
Manzullo  
Marshall  
Matheson  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender  
McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Musgrave  
Myrick  
Napolitano  
Neal (MA)

Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascrell  
Pastor  
Paul  
Payne  
Pearce  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)

Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stearns  
Stenholm  
Strickland  
Stupak  
Sullivan  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Toomey  
Towns  
Turner (OH)  
Turner (TX)  
Udall (NM)  
Upton  
Van Hollen  
Velazquez  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Wu  
Wynn  
Young (FL)

NOT VOTING—28

Ackerman  
Clay  
Cummings  
Davis (IL)  
Dooley (CA)  
Emerson  
Farr  
Frank (MA)  
Gallegly  
Gephardt

Hoekstra  
Hooley (OR)  
Janklow  
Klecza  
Lipinski  
Markey  
Matsui  
Murtha  
Nadler  
Pence

Pickering  
Rangel  
Stark  
Sweeney  
Udall (CO)  
Waters  
Woolsey  
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 2300

Messrs. SIMMONS, BONILLA, LINDER, SAM JOHNSON OF TEXAS, KING OF IOWA, ROHRABACHER, GINGREY, SMITH of Michigan, HUNTER and Mrs. BLACKBURN